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January 4, 2008

*Via ECF & Facsimile (914) 390-4179*

Hon. Stephen C. Robinson  
United States District Court  
Southern District of New York  
United States Courthouse, Room 633  
300 Quarropas Street  
White Plains, New York 10601

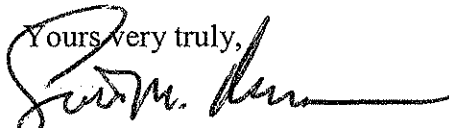
**Re: *McAvey v. Orange-Ulster BOCES, et al.*  
07-CIV-11181 (SCR)**

Dear Judge Robinson:

We are the attorneys for defendants, Orange-Ulster BOCES, Jeffrey Smith, Jake McHale and Marguerite Flood, in the above-referenced action which is assigned to Your Honor.

Annexed hereto for filing via ECF (with a courtesy copy indicating the date of filing and the ECF document number transmitted *via* facsimile) is a copy of a stipulation of the attorneys for the respective parties, dated January 3, 2008, establishing a briefing schedule for defendants' motion to dismiss the complaint in this action, which schedule is made pursuant to Section II(A)(3) of Your Honor's Individual Practices.

Thank you for your attention and courtesies.

Yours very truly,  
  
Scott M. Karson

SMK/ck  
Enclosure  
cc: Sussman & Watkins  
Attn: Christopher D. Watkins  
#202532 v1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
COLLEEN McAVEY,

07-CIV-11181 (SCR)

Plaintiff,

-against-

STIPULATION

ORANGE-ULSTER BOCES, JEFFREY SMITH, former  
Deputy Superintendent, JAKE McHALE, Principal of  
Flannery High School, and MARGUERITE FLOOD,  
Executive Director for Personnel, sued in their individual  
capacities,

(Hon. Stephen C. Robinson)

Defendants.  
-----X

IT IS HEREBY STIPULATED AND AGREED by and between the plaintiff, COLLEEN  
McAVEY ("plaintiff"), by her attorneys of record, SUSSMAN & WATKINS, and the  
defendants, ORANGE-ULSTER BOCES, JEFFREY SMITH, JAKE McHALE, and  
MARGUERITE FLOOD ("defendants"), by their attorneys of record LAMB & BARNOSKY,  
LLP, as follows:

1. The last date for defendants to file a motion pursuant to FRCP 12(b)(6) shall be  
January 11, 2008;
2. Plaintiff shall serve papers in opposition to this motion, if any, on or before  
February 1, 2008; and
3. Defendants shall serve reply papers in further support of the motion, if any, on or  
before February 15, 2008, and the motion shall be returnable on that date.

Dated: Melville, New York  
January 3, 2008

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By:   
SCOTT M. KARSON (SMK 9195)

#202406 v1

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By:   
CHRISTOPHER D. WATKINS (CW 2240)